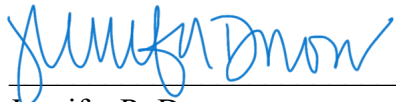


Dated at Waukesha, Wisconsin this 28th day of May, 2021.

BY THE COURT:



Jennifer R. Dorow

Chief Judge

3rd Judicial District

STATE OF WISCONSIN

CIRCUIT COURT
THIRD JUDICIAL DISTRICT

21-SO-01 (45)
OZAUKEE COUNTY

**IN THE MATTER OF:
MODIFICATION OF OPERATIONAL
AND JURY COVID PLANS**

WHEREAS, the Supreme Court issued a decision on May 21, 2021, IN RE THE MATTER OF MODIFICATIONS OF CIRCUIT COURT AND MUNICIPAL ACCOMMODATIONS THAT WERE REQUIRED BECAUSE OF THE COVID-19 PANDEMIC, charging chief judges with the task of approving the lifting of a county or municipal court's COVID-19 orders requiring masking, social distancing and sanitizing of court facilities; and

WHEREAS, the May 21, 2021 Supreme Court Order stated that circuit courts and municipal courts, with the approval by the chief judge of the applicable judicial district, shall make county-wide or local decisions about what is in the best interests of circuit court and municipal court operations; and

WHEREAS, the Chief Judge has administrative oversight of their District under SCR 70.19; and

WHEREAS, the Chief Judge has the responsibility under SCR 70.19 (3)(f) to establish policies and plans; and

WHEREAS, both the May 21, 2021 Supreme Court decision and SCR 70.20 provide the authority that the Chief Judge's directive, policies and rules be carried out.

THEREFORE, IT IS HEREBY ORDERED that the previously ordered COVID in-person and jury resumption plans for Ozaukee County be rescinded and replaced with the following COVID-19 Operating Plan for Ozaukee County Circuit Courts effective June 2, 2021:

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court

staff, judges, and other individuals entering the buildings housing the courts, and considering current CDC guidance, the courts of Ozaukee County will implement the following protective measures:

General

1. Effective May 10, 2021 the CDC no longer suggests that fully vaccinated individuals physically distance or wear masks in any setting other than where required by other law or regulation. To that end, masks in courtrooms are optional for those in compliance with CDC guidance, with the exception of those rules in the “Jury Trials” section below.
2. All judges will conduct proceedings remotely at their discretion.
3. The Ozaukee County judiciary will evaluate this plan on or before August 1, 2021 and will consider amendments or rescission as may be appropriate at that time.

Judge and Court Staff Health

1. Judges, court reporters, the court commissioner and court staff are encouraged to monitor their individual health for signs and symptoms of Covid-19.
2. Protective Measures:
 - a. Physical barriers in courtrooms will be used as directed by the Presiding Judge.
 - b. Hand sanitizers will be available at appropriate locations within the Ozaukee County Justice Center.
 - c. Disposable face masks will be made available upon request.
 - d. Social distancing is encouraged in the gallery. Court staff is encouraged to sanitize equipment used by multiple persons between uses.

Vulnerable Populations

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable populations.
2. Each judge is encouraged to accommodate those persons identifying as members of a vulnerable population.

Social Distancing

1. All persons not from the same household who are permitted in the court building will be encouraged to maintain adequate social distance.

Hygiene

1. Hand sanitizer dispensers have been placed near the entrances to the building, near the entrance of courtrooms, and in other areas deemed appropriate.
2. Documents will be e-filed prior to hearings whenever practicable to avoid unnecessary handling of paper documents.
3. Sanitizing wipes will be available at counsel tables for departing counsel or litigants to wipe down hard surfaces before departing table.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every 24 hours.
2. Court building cleaning staff will clean the courtrooms at the end of each day the courtroom is used.

Jury Trials

1. Social distancing will be of the utmost concern when dealing with jurors.
2. The Court Commissioner's courtroom will be the preferred courtroom for twelve person jury trials.
3. Jurors, litigants, attorneys and court staff will be required to wear masks during jury trials. One will be provide for them if they do not provide their own.
4. Jurors will be assigned a seating position for the duration of the trial
5. 12 sets of jury instructions will be provided during deliberations.
6. Overflow seating for spectators will be provided with a video feed to reduce numbers in courtroom on an as needed basis.
7. Media to be provided a designated area for A/V equipment and outlets shall share one video feed